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ABSTRACT

An analysis was made of recent trends in arrests for driving under the influence of alcohol or other intoxicants (DUI) and the characteristics of persons confined in local jails in 1983 who had been charged with driving while intoxicated by alcohol (DWI). Data on DUI arrests were drawn from information provided to the Federal Bureau of Investigation by state and local police agencies. Information on a nationally representative sample of jail inmates was obtained from the 1983 Survey of Inmates of Local Jails sponsored by the Bureau of Justice Statistics. Some of the major findings of the study were as follows: (1) between 1970 and 1986, arrests for DUI increased nearly 223 percent, while the number of licensed drivers increased by 42 percent; (2) arrest rates for DUI were highest among 21-year-olds; (3) since 1983, most states have raised the minimum age for consumption of alcoholic beverages to 21; (4) per capita arrest rates for DUI for those aged 18-20 have decreased by 14 percent since 1983; (5) prior to their arrest for DWI, convicted offenders had consumed a median of 6 ounces of pure alcohol; (6) for DWI offenders sentenced to jail, the median term imposed was five months; and (7) those in jail for DWI were 95 percent male, had a median age of 32, and reflected a racial distribution similar to the adult general population. (KC)

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Drunk Driving

by Lawrence A. Greenfeld
BJS Statistician

February 1988

This report analyzes recent trends in arrests for driving under the influence of alcohol or other intoxicants (DUI), and it examines the characteristics of persons confined in local jails in 1983 who had been charged with driving while intoxicated by alcohol (DWI). DUI is the general term for drivers who operate a motor vehicle after having consumed an intoxicant (such as drugs or alcohol); DWI, in this study, specifically refers to inmates in local jails who were charged with driving while intoxicated by alcohol (usually defined by State law as a specific concentration of alcohol in the blood).

Data on DUI arrests were drawn from information provided to the Federal Bureau of Investigation (FBI) by State and local police agencies. Information on a nationally representative sample of jail inmates was obtained from the 1983 Survey of Inmates of Local Jails sponsored by the Bureau of Justice Statistics.

Major findings include:

- Between 1970 and 1986 arrests for DUI increased nearly 223%, while the number of licensed drivers increased by 42%.

- Arrest rates for DUI were highest among 21-year-olds and reached their peak in 1983 with a rate of 1 arrest for every 39 licensed drivers of that age.

- Since 1983 most States have phased in new laws raising the minimum age for the purchase or sale of alcoholic beverages to 21. Per capita arrest rates for DUI for those age 18-20 have decreased by 14% since then--more than twice the rate of decrease for those age 21-24.

Drunk driving is a serious crime--serious in terms of its prevalence and its consequences. In 1986 there was about 1 arrest for driving under the influence of an intoxicant for every 88 licensed drivers. The National Highway Traffic Safety Administration estimates that perhaps as many as a quarter of a million persons were killed in alcohol-related motor vehicle crashes over the last 10 years. More than 650,000 persons are injured in such crashes every year. The annual cost in property damage, medical costs, and other costs of drunk driving may total more than $24 billion.

This report examines trends in arrests for drunk driving and provides a detailed portrait of drunk drivers held in local jails in 1983. It describes how much alcohol these inmates consumed, the types of beverages they drank, and how long they spent drinking prior to their arrests.

In recent years a number of organizations, such as Mothers Against Drunk Driving, have helped to increase public awareness of this issue. The challenge to us is to reduce the incidence and prevalence of drunk driving and to target the chronic drunk driver, typically found in the Nation's jails, for special response. Many States have initiated efforts designed to deal with this problem: increasing the minimum age for purchasing alcoholic beverages and enacting new laws to stiffen the penalties, particularly for those who repeatedly drink and drive.

Steven R. Schlesinger
Director

- Prior to their arrest for DWI, convicted offenders had consumed a median of 6 ounces of pure alcohol (about equal to the alcoholic content of 12 bottles of beer or 8 mixed drinks) in a median of 4 hours. About 26% consumed at least 10 ounces of pure alcohol (equivalent to 20 beers or 13 mixed drinks).

- About 54% reported drinking only beer, about 2% only wine, 23% liquor only, and 21% had been drinking two or more different beverages. This last group consumed the most alcohol prior to arrest, about three times more than those who drank only beer.

- For DWI offenders sentenced to jail, the median term imposed was 5 months; those with prior DWI sentences received sentences that were about twice as long as first-timers.

- About 7% of all persons confined in local jails on June 30, 1983, were charged with or convicted of DWI; nearly 13% of jail inmates had a current charge or prior conviction for DWI.

- Those in jail for DWI were 95% male, had a median age of 32, and reflected a racial distribution similar to the adult general population. Nearly 80% were not living with a spouse at the time of arrest, and they were more likely to be unemployed than adults in the civilian labor force.

- Nearly half of those in jail for DWI had previously been sentenced to probation, jail, or prison for DWI, and three-quarters had a prior sentence for any crime (including DWI).

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• Nearly half of all inmates in jail for DWI had previously been involved in an alcohol abuse treatment program--about 1 in 11 were in treatment at the time of the arrest for DWI.

DUI arrests

In 1986 more than 158 million persons held driver's licenses in the United States--nearly 86% of the population age 16 and over. During the same year the FBI estimated that nearly 1.8 million arrests were made by State and local police agencies for driving under the influence of an intoxicating substance. The same year, 46,056 motor vehicle fatalities occurred; about 40% were probably alcohol-related, according to the National Highway Traffic Safety Administration.

Between 1970 and 1986 the rate of arrest for DUI rose more than 127%, from 498 arrests per 100,000 licensed drivers to 1,131 (figure 1). The peak year, 1983, reflected a record 1,921,000 arrests--about 1 arrest for every 80 licensed drivers in the Nation.

The prevalence of arrests for DUI must be viewed in the context of the levels of consumption of alcoholic beverages in the United States. In 1985 the per capita consumption of alcoholic beverages was 27.6 gallons. This was greater than the per capita consumption of coffee (25.9 gallons per U.S. resident) and milk (27.1 gallons) and was exceeded only by the consumption of soft drinks (45.6 gallons).[1]

The annual consumption of alcoholic beverages based only upon the adult population age 21 and older (most States now impose this age restriction) would equal about 34.5 gallons of beer, 3.5 gallons of wine, and 2.5 gallons of liquor per person. However, individual patterns of consumption vary. It has been estimated that a third of the adult population accounts for 95% of the alcohol consumed and 5% of the adult population accounts for half of the consumption.[2]

DUI arrests and age

Since 1975 there has not been consistent growth in arrest rates across all age groups. In 1975 those between age 18 and 49 were overrepresented among arrestees, compared to their share of licensed drivers (table 1). Persons age 18-24 accounted for 18.9% of drivers but 25.3% of those arrested, about 1 arrest for every 102 drivers. Drivers age 65 and older, by contrast, accounted for 9.5% of drivers but less than 2% of those arrested, about 1 arrest for every 709 drivers in this age group.

Compared to 1975, data for 1986 reflected declines in arrest rates for every group over the age of 45. Arrest rates for those 45-49 were down about 1%, and each succeeding age group showed a larger percentage decline. However, the younger age groups reflected substantial growth in the rate of DUI arrests--drivers between the ages of 18 and 29 experienced rates of arrest in 1986 more than double the rates of arrest for those age 18-29 in 1975.

There are several possible reasons why arrest rates have increased among younger age groups and decreased among older age groups. Although increased enforcement of drinking and/or driving laws would be expected to affect all age groups to some degree, more stringent enforcement efforts may have been applied to younger age groups selectively. Drinking or driving behavior may also have changed over time across different age groups. Legislative changes between 1971 and 1983 lowering the minimum drinking age may also have played a role by increasing the prevalence of drinking among younger age groups.

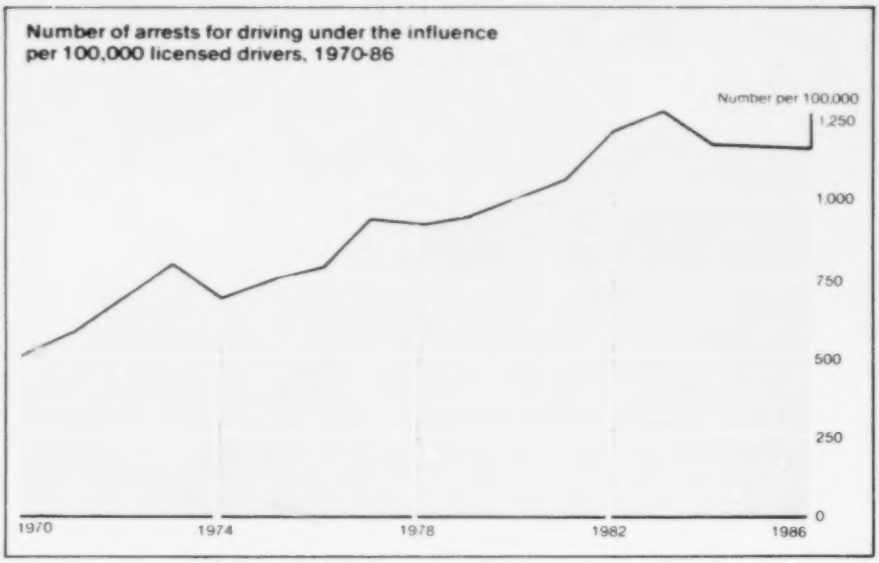

Table 1. Comparison of licensed drivers and estimated arrests for driving under the influence, by age, 1975 and 1986

Age	1975 Percent of: Drivers	1975 Percent of: Arrests	1975 Arrests per 100,000 drivers	1986 Percent of: Drivers	1986 Percent of: Arrests	1986 Arrests per 100,000 drivers	Percent change in rate, 1975-86
Total	100%	100%	729	100%	100%	1,130	+ 55%
16-17 years old	3.7%	1.8%	352	2.6%	1.5%	647	+ 84%
18-24	18.9	25.3	979	15.7	28.8	2,075	+ 112
25-29	12.9	15.0	847	13.0	22.0	1,909	+ 125
30-34	10.3	12.2	867	12.2	15.8	1,471	+ 70
35-39	8.5	10.6	909	10.9	11.1	1,158	+ 27
40-44	7.9	9.8	904	8.5	7.2	968	+ 7
45-49	8.0	8.9	812	6.9	4.9	805	- 1
50-54	7.9	7.3	675	6.3	3.4	609	- 10
55-59	6.8	4.6	490	6.3	2.4	434	- 11
60-64	5.7	2.7	347	5.9	1.6	299	- 14
65 and older	9.5	1.8	141	11.9	1.2	118	- 16

Note: Percents may not add to 100% due to rounding. Table excludes licensed drivers and arrests for those less than 16 years old. For those 16 and older there were 129,671,000 licensed drivers in 1975 and 158,494,000 in 1986; there were 945,757 DUI arrests in 1975 and 1,791,575 in 1986. The age distribution of known arrests for DUI was applied to the total number of estimated DUI arrests.
Sources: Federal Highway Administration, Selected Highway Statistics and Charts, 1985. FBI, Crime in the United States (1975 and 1986).

[1] Statistical Abstract of the U.S., 1987, table 181, p. 111.

[2] Olson, Steve, and Dean R. Gerstein, Alcohol in America: Taking Action to Prevent Abuse (Washington, D.C.: National Academy Press, 1985), p. 13.

Table 2. Arrest rates for DUI, 18 to 24 year-olds, 1976-86

Age	Number of DUI arrests per 100,000 licensed drivers in:										
	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986
18 years old	1,068	1,288	1,344	1,486	1,586	1,596	1,787	1,623	1,526	1,428	1,480
19	1,133	1,453	1,478	1,623	1,802	1,869	2,141	2,086	1,973	1,848	1,780
20	1,148	1,481	1,551	1,779	1,867	2,031	2,334	2,359	2,209	2,117	1,961
21	1,212	1,554	1,615	1,778	1,947	2,124	2,503	2,538	2,479	2,408	2,292
22	1,118	1,462	1,514	1,593	1,839	1,969	2,352	2,505	2,383	2,358	2,310
23	1,063	1,368	1,415	1,535	1,738	1,892	2,192	2,400	2,300	2,296	2,257
24	1,023	1,316	1,347	1,459	1,622	1,780	2,126	2,265	2,210	2,285	2,213
All drivers	768	914	901	925	982	1,041	1,184	1,244	1,145	1,140	1,131

Note: See Note, table 1.

Legislative changes and DUI arrests

Throughout the early to mid-1970's, States lowered the minimum age for the purchase or sale of alcoholic beverages, largely in response to the ratification of the 26th Amendment (1971), which extended the right to vote to 18-year-olds. Between 1970 and 1973, 24 States reduced the minimum age;[3] in 1983, 33 States permitted the purchase of alcoholic beverages by persons under the age of 21. As a result of recent changes in Federal highway funds legislation, however, States have begun to phase in new laws raising the minimum drinking age--as of January 1, 1987, only 7 States had not raised the drinking age to 21.[4]

Drinking age	Number of States	
	1983	1987
18	13	2
19	14	5
20	6	0
21	17	43

Arrest rates for those age 18-19 peaked in 1982; for 20-year-olds they peaked a year later (table 2). Overall, the number of arrests of those age 18-20 for DUI decreased 24% between 1983 and 1986, from 216,255 to 164,011, while the number of licensed drivers of this age declined by 12% (from 10.6 million to 9.3 million). This may mean that as much as half of the decline in arrests among drivers of these ages (and as much as 20% of the decline in arrests for all ages) could be because of changes in the drinking age laws.[5] This may also indicate that future declines will occur as the new laws, which often are gradually phased in, apply to larger segments of the under-21 population.

Table 3. Cumulative estimated DUI arrest rate for licensed drivers age 18-24

Year of birth	Total number of DUI arrests per 100,000 licensed drivers who were age:						
	18	19	20	21	22	23	24
1958	1,068	2,521	4,072	5,850	7,689	9,581	11,707
1959	1,288	2,766	4,545	6,492	8,461	10,653	12,918
1960	1,344	2,967	4,834	6,958	9,310	11,710	13,920
1961	1,486	3,288	5,319	7,822	10,327	12,627	14,912
1962	1,586	3,455	5,789	8,325	10,708	13,004	15,217
1963	1,596	3,737	6,096	8,575	10,933	13,190	
1964	1,787	3,873	6,082	8,490	10,800		
1965	1,623	3,596	5,713	8,005			
1966	1,526	3,374	5,335				
1967	1,428	3,208					
1968	1,480						

Note: See Note, table 1.

Arrest rates for age groups 21 and older have also declined since 1983, though at a slower pace than for those younger than 21. Between 1983 and 1986 the number of DUI arrests per 100,000 licensed drivers dropped 9.6% for 21-year-olds, 7.8% for 22-year-olds, 6% for 23-year-olds, and 2.3% for 24-year-olds. In the aggregate, arrest rates per 100,000 licensed drivers for those age 18-20 declined more than twice as fast as for those age 21-24 between 1983 and 1986 (14% for those under 21 vs. 6.5% for those 21-24).

DUI arrest rates for specific ages can also be compared across different years of birth (table 3). Persons born in 1958 who became 24 years old in 1982 would have accumulated an estimated 11,707 arrests per 100,000 licensed drivers between the ages of 18 and 24--about 1 arrest for every 8.5 drivers. By comparison, those born 4 years later who became 24 in 1986 accumulated 30% more arrests over the same ages--15,217 arrests per 100,000 licensed drivers, or 1 arrest for every 6.6 drivers. Generally, persons born in 1963 and 1964 are likely to accumulate more arrests by age 24 than either their predecessors or those born in subsequent years. Those born in 1963-64 would have become 21 years old at about the same time that the States began phasing in the new, higher minimum age laws for the purchase of alcoholic beverages.

Continued monitoring of the DUI arrest experience of these age groups will be necessary to determine whether the declines observed in the most recent years for the youngest groups carry forward to age 21 and beyond. Arrest data in future years will provide additional information on whether new groups of drivers turning ages 18, 19, and 20, who will be fully covered by the new laws, also maintain lower arrest rates.

Lower arrest rates may also be a reflection of changing drinking behavior among young adults. Based on national surveys of high school seniors, seniors

[3] Williams, A.F., R.F. Rich, O.L. Zador, and L.J. Robertson, "The Legal Minimum Age and Fatal Motor Vehicle Crashes," Journal of Legal Studies, Vol. 4, no. 1 (1975), pp. 219-39.

[4] See A Digest of State Alcohol Highway Safety Related Legislation (1983-87) (Washington, D.C.: National Highway Traffic Safety Administration).

[5] This estimate was calculated by applying the 1983 arrest rate for those age 18-20 (2,041 per 100,000 drivers) to the number of drivers in 1986 (9,344,000) of this age, producing an estimate of 190,684 arrests in 1986. Actual arrests in 1986 were 164,011, or 26,673 fewer than expected. The overall decline in the number of arrests between the 2 years was 52,244 (216,255 - 164,011). Thus, the percentage of the decline not due to a change in the number of drivers of these ages would be about half (26,673/52,244).

The total decline in the number of arrests for persons of all ages between 1983 and 1986 was 127,800. Thus, as much as 21% of the drop (26,673/127,800) might be attributable to changes in the minimum drinking age laws.

in 1986 (after most States had raised their drinking ages) reported less prevalent daily drinking and drinking in the month preceding the survey than did seniors in 1980 (before drinking ages were raised). In addition, a smaller percentage of seniors in 1986 reported engaging in binge drinking (5 or more drinks in a row at least once in the 2 weeks prior to the interview) than did seniors in 1980.[6]

	Senior class of:	
	1980	1986
Percent who drank in last 30 days	72.0%	65.0%
Percent who drank daily	6.0	4.8
Percent with binge drinking	41.2	36.8

DWI offenders in jail

On June 30, 1983, there were an estimated 220,740 adults confined in the Nation's 3,338 local jails. An estimated 13,089 (6%) were serving sentences after conviction for driving while intoxicated (table 4). Less than 1% of those in jail were unconvicted inmates charged with DWI. (Persons charged with or convicted of driving while intoxicated by drugs have been excluded from this analysis.)

When prior sentences are taken into account, the estimated percent of jail inmates with a current charge or a past conviction for DWI rises to nearly 13%.

(The Survey of Local Jail Inmates is conducted every 5-7 years. Because of increased public, legislative, and law enforcement interest in the problem of drunk driving in recent years, the data for jail inmates in 1983 may not reflect the current jail population.)

[6]See "Monitoring the Future: A Continuing Study of the Lifestyles and Values of Youth," conducted by the Institute of Social Research at the University of Michigan and funded primarily by the National Institute on Drug Abuse. See also High School Senior Drug Use: 1975-1986 (Rockville, Maryland: National Institute on Drug Abuse, March 1987).

Table 4. Prevalence of DWI among jail inmates, 1983

Current or prior charge or conviction for DWI	Number of inmates	Percent of all inmates
Total	220,740	100%
Currently charged with DWI	1,826	.8%
Currently convicted of DWI	13,089	5.9
Prior DWI conviction only	13,415	6.1
All other inmates	192,410	87.2

Table 5. Characteristics of jail inmates charged with or convicted of DWI, 1983

Characteristic	Percent of inmates
Sex	
Male	94.7%
Female	5.3
Race	
White	85.6%
Black	9.8
Other	4.6
Ethnicity	
Hispanic	17.2%
Non-Hispanic	82.8
Age	
17-19 years old	2.4%
20-24	22.3
25-29	17.3
30-34	17.1
35-39	11.6
40-44	8.0
45-49	6.9
50-54	6.8
55-64	6.5
65 and older	1.0
Median age	32 years
Education	
Less than 8 years	13.1%
8-9	15.9
10-11	19.4
12	36.0
Some college	15.7
Median education	12 years
Marital status	
Married	22.2%
Widowed	2.0
Divorced/separated	39.1
Never married	36.7
Employment status at arrest	
Unemployed	32.7%
Employed	67.3
Full-time	58.2
Part-time	9.1
Median annual income*	$8,750
Type of usual occupation	
Laborer	16.7%
Construction trade	16.2
Machine operator	11.4
Farm worker	9.7
Mechanic/craftsman	7.4
Transportation/heavy equipment	7.2
Food services	5.3
Executive/managerial	4.4
Administrative support	4.2
Sales	3.8
All other	13.7
Total number of inmates	14,915

*For those who had been free at least 1 full year prior to arrest.

Profile of DWI offenders

Among convicted and unconvicted persons in jail for DWI, males predominated, and the racial distribution was similar to the adult general population (table 5). An estimated 17% classified themselves as Hispanic, a higher proportion than in the general population (8%).

The median age of the DWI jail inmates was 32, about 5 years older than the median age of those jailed for other crimes. About 51% had completed high school, but about 13% had less than 8 years of education. Almost 80% of DWI inmates of local jails reported they were not living with a spouse at the time of their arrest: An estimated 37% had never been married, 39% were divorced or separated, and 2% were widowed.

The relatively high percentage of unemployed persons among those in jail for DWI (33%) may be a reflection of the types of occupations represented. Nearly a third reported their usual work was as laborers or in the construction trades, occupations that are often subject to temporary periods of unemployment.

Prior DWI history

About 48% of persons jailed for DWI had previous DWI convictions (table 6). In general, convicted and unconvicted DWI jail inmates were alike with respect to prior histories of DWI convictions.

Persons jailed for DWI were more likely than other jail inmates to have been previously convicted of the same crime. Among robbers in jail, 33% had a prior robbery conviction; among those jailed for assault, 37% had a previous assault conviction; and among those charged with drug trafficking, 36% had a prior conviction for this offense. Compared to those jailed for DWI, only persons jailed for larceny (52%) and burglary (51%) had higher percentages with prior convictions for the same crime.

About three-fourths of DWI offenders had previously been convicted of any crime, including DWI, and had been sentenced to probation, jail, or prison. This proportion was similar among those in jail for crimes other than DWI.

Table 6. Jail inmates charged with DWI, by number of prior DWI sentences, 1983

Number of prior DWI sentences	Percent of inmates charged with DWI		
	All	Unconvicted	Convicted
Total	100%	100%	100%
None	51.7%	54.7%	51.3%
1	30.1	30.8	30.1
2	12.6	8.6	13.2
3 or more	5.6	6.1	5.5
Number of inmates	14,915	1,826	13,089

Note: Percents may not add to 100% due to rounding.

Table 7. Alcohol consumption prior to arrest of jail inmates serving a sentence for DWI, 1983

Ounces of ethanol consumed	Percent of jail inmates convicted of DWI		
	All	Male	Female
Total	100%	100%	100%
Less than 1 ounce	1.9%	1.9%	1.0%
1-1.9	7.1	7.1	7.2
2-2.9	11.8	11.4	17.4
3-3.9	17.1	16.5	26.5
4-4.9	8.7	9.0	4.2
5-9.9	27.2	27.2	27.9
10-14.9	14.4	15.0	6.0
15 or more	11.8	11.9	10.0
Median ounces of ethanol	6 ounces	6 ounces	3.9 ounces
Number of offenders	13,089	12,369	720

Note: Percents may not add to 100% due to rounding.

Alcohol consumption

Convicted offenders were asked detailed questions about their consumption of alcoholic beverages prior to their arrest for DWI. The types of beverages consumed, the amount consumed, and the period of time spent drinking were collected from each offender who reported drinking prior to arrest. Based on these responses, it was possible to convert the amount and type of beverage consumed to a pure alcohol equivalent (ethanol) in order to estimate total intake (see Methodology for conversions).

Convicted DWI offenders were estimated to have consumed a median of 6 ounces of ethanol (equivalent to the alcohol content of 12 bottles of beer or 8 mixed drinks) prior to arrest (table 7). Male offenders had consumed about 50% more ethanol than female offenders. About 9% of the convicted offenders had consumed less than 2 ounces of ethanol; 38% consumed between 2 and 5 ounces; 27% between 5 and 10 ounces; and 26% reported consuming the equivalent of 10 or more ounces of ethanol. To consume 10 ounces of ethanol would require drinking the equivalent of 20 beers or 13 mixed drinks.

The median length of the drinking session prior to the arrest was 4 hours (table 8). Given the median consumption of 6 ounces of alcohol, this would suggest a rate of consumption equivalent to about 3 beers or 2 mixed drinks per hour. The average, or mean, ethanol consumption was 7.4 ounces, and the average amount consumed escalated with the number of hours spent drinking.

Most convicted DWI offenders reported drinking only beer prior to arrest:

Percent who drank:	
Beer only	54%
Wine only	2
Liquor only	23
More than one type	21

Amounts consumed prior to arrest varied with the type of beverage. Those who drank only beer consumed the smallest median amount of pure alcohol, 3.5 ounces or the equivalent of about 7 beers (table 9). The median ethanol consumption for wine drinkers, 3.7 ounces, would approximately equal 6.5 glasses (at 4 ounces of wine per glass). Those drinking only liquor prior to arrest consumed a median quantity of ethanol more than double that of beer and wine drinkers--approximately equal to 10 to 11 drinks. Those who combined different beverages were estimated to have had an intake of ethanol more than three times that of those who drank beer only and nearly 40% greater than those who consumed liquor only.

Table 8. Number of hours spent drinking and amount of ethanol consumed prior to arrest for DWI, for convicted jail inmates, 1983

Hours spent drinking	Percent of jail inmates convicted of DWI	Average ethanol consumption prior to arrest
Total	100%	7.4 oz.
1 hour or less	11.6%	3.4 oz.
2-3	17.9	6.1
4-5	22.9	6.3
6-7	15.6	8.8
8-9	10.5	9.2
10-11	14.2	11.8
12 hours or more	7.4	15.9
Median	4 hours	6 oz.

Note: Percents may not add to 100% due to rounding.

Table 9. Type of alcoholic beverage and amount of ethanol consumed prior to arrest for DWI, for convicted jail inmates, 1983

Ounces of ethanol consumed	Percent of inmates convicted of DWI who drank:			
	Beer only	Wine only	Liquor only	More than one type
Total	100%	100%	100%	100%
Less than 1 ounce	1.7%	21.7%	2.2%	0%
1-1.9	8.5	22.6	8.3	.6
2-2.9	16.4	3.0	8.6	4.3
3-3.9	25.7	46.8	2.3	7.9
4-4.9	5.8	0	14.3	11.1
5-9.9	31.5	3.0	30.2	15.4
10-14.9	6.2	0	18.2	32.8
15 or more	4.2	3.0	15.8	27.9
Median ounces of ethanol consumed	3.5 ounces	3.7 ounces	8 ounces	11 ounces

Note: Percents may not add to 100% due to rounding.

Those jail inmates convicted of DWI who consumed the most alcohol prior to their arrest were also the ones who typically drank the greatest amounts in their usual drinking sessions (table 10). Among those who consumed less than 2 ounces of ethanol prior to arrest, 87% described themselves as usually drinking daily or several times per week, with a median ethanol consumption of about 4 ounces per drinking session. Those who consumed greater quantities of ethanol prior to arrest reported less frequent usual drinking sessions, though they consumed more alcohol at a typical drinking session. Nearly three-quarters of those who consumed 10 ounces or more prior to the arrest that resulted in their DWI conviction reported that they usually consumed at least this amount of ethanol when drinking, and nearly half reported that they usually drank less frequently than weekly. This type of drinking, often referred to as "binge drinking," is thought to be most prevalent among younger age groups and more common among those not living with spouses.[7]

Sentencing and DWI

Those convicted offenders sentenced to jail are not representative of all persons sentenced for DWI since many more DWI offenders are under probation supervision in the community or have received other sanctions.[8] However, it is useful to examine the length of the sentences imposed for those who receive jail terms since they are more likely to be the chronic and serious offenders for whom the effect of a prior record can be gauged. The median jail sentence for first-time DWI offenders was 90 days, compared to 180 days for recidivists (table 11). About a third of the first-timers received 30 days or less, compared to about a fifth of the recidivists.

Among those with two or more prior convictions, a comparatively small percentage appear to have received sentences greater than a year. Many of the most chronic DWI offenders, however, may have been sentenced to State prisons rather than local jails. (In 1983 an estimated 1.4% of State prison admissions were for DWI.)

Table 10. Usual drinking behavior of jail inmates convicted of DWI, by amount of ethanol consumed prior to arrest, 1983

Usual consumption of alcohol	All convicted inmates	Percent of convicted jail inmates by amount of ethanol consumed prior to arrest: Less than 2 ounces	2-4.9 ounces	5-9.9 ounces	10 or more ounces
Frequency of usual drinking	100%	100%	100%	100%	100%
Daily	17.8%	27.1%	11.4%	12.6%	29.0%
Several times per week	39.3	60.3	44.9	38.8	25.0
Several times per month	22.1	6.4	29.1	22.0	17.3
Less than once per month	20.8	6.2	14.6	26.7	28.6
Amount of ethanol usually consumed when drinking	100%	100%	100%	100%	100%
Less than 2 ounces	5.8%	21.5%	7.8%	3.5%	.2%
2-4.9 ounces	19.7	34.9	31.1	9.8	8.6
5-9.9 ounces	29.6	15.9	34.2	40.6	16.5
10 or more ounces	44.9	27.9	26.9	46.1	74.7
Median ounces usually consumed	8.1 oz.	4.3 oz.	6 oz.	9 oz.	17.7 oz.
Number of inmates	13,089	1,178	4,921	3,561	3,429

Note: Percents may not add to 100% due to rounding.

Table 11. Length of sentence imposed for convicted DWI offenders, by number of prior DWI sentences to jail or prison, 1983

Sentence length	All offenders	Percent of inmates by prior DWI sentences to jail or prison: None	One	Two or more
Total	100%	100%	100%	100%
30 days or less	27.3%	33.8%	20.9%	19.0%
31-60	12.5	15.7	10.9	6.3
61-90	4.2	4.9	5.2	.7
91-120	5.4	3.5	5.0	11.3
121-180	15.9	12.8	16.8	23.2
181-240	4.0	2.8	6.8	2.6
241-365	21.7	17.6	22.7	31.5
More than 1 year	9.1	8.9	11.7	5.4
Mean number of days	218	197	215	281
Median number of days	150	90	180	180

Note: Percents may not add to 100% due to rounding.

Table 12. History of participation in alcohol abuse treatment programs for jail inmates charged with DWI, 1983

Participation in alcohol abuse treatment programs	Percent of jail inmates charged with DWI: All	Unconvicted	Convicted
Ever in treatment	100%	100%	100%
Yes	48.4	45.8	48.7
No	51.6	54.2	51.3
Number of times enrolled in treatment programs	100%	100%	100%
None	51.6	54.2	51.3
1	35.8	37.8	35.5
2	7.6	8.0	7.6
3 or more	5.0	0	5.6
In treatment at time of arrest	100%	100%	100%
Yes	8.7	9.7	8.6
No	91.3	90.3	91.4

Alcohol treatment and DWI

Nearly half of the persons confined in local jails on a DWI charge reported having previously participated in an alcohol treatment program (table 12). In fact, nearly 9% reported that they were in such treatment at the time of their arrest. Based upon their older age, patterns of usual drinking, and prior conviction histories, many of those in jail for DWI appear to have had chronic alcohol problems. The prevalence of past alcohol treatment further illustrates the chronic nature of their problems with alcohol. As with prior conviction histories, unconvicted jail inmates were much like convicted DWI offenders with respect to past alcohol treatment.

[7] See Collins, James J., Jr., Drinking and Crime: Perspectives on the Relationship Between Alcohol Consumption and Criminal Behavior (New York: Guilford Press, 1981), pp. 163-67.

[8] On December 31, 1986, 21 States reported that 21.2% of the 913,785 adult offenders on probation had been convicted of DWI. Applied to the entire probation population of the 50 States and the District of Columbia (2,035,593 probationers), the estimated number of DWI offenders on probation would be over 430,000--perhaps 30 times the number of DWI offenders in local jails in 1983.

Those with prior records of DWI offenses were more likely than first offenders to have been in a treatment program (table 13). This may reflect the tendency of judges to impose alcohol treatment participation as a condition of a sentence for DWI. Those with the most chronic DWI histories reported the highest levels of prior alcohol treatment, probably reflecting past attempts to remedy a serious and chronic alcohol problem.

Table 13. History of participation in alcohol abuse treatment programs, by number of prior sentences for DWI, for all jail inmates charged with DWI, 1983

	Percent of jail inmates charged with DWI who:		
	Total	Ever received treatment	Never received treatment
All inmates	100%	48.4%	51.6%
Number of prior DWI sentences			
None	100%	39.0%	61.0%
1	100	49.0	50.3
2	100	66.3	33.7
3 or more	100	78.2	21.8

Appendix
Estimating Blood Alcohol Concentrations (BAC)

Blood alcohol concentration (BAC) refers to the number of grams of pure alcohol present in 100 milliliters of blood. The BAC of an individual may be established by a variety of testing procedures including chemical breath analysis, saliva testing, blood testing, urinalysis, or chemical analysis of tissue samples.

Calculating the BAC levels of convicted DWI offenders in jail is useful for two reasons. First, it provides a measure of intoxication that can be compared to other groups of drivers for whom BAC is known--in this case, drinking drivers involved in fatal accidents. Second, estimating blood alcohol concentration serves as a validity check on the self-reported amounts consumed prior to arrest; it can be used to evaluate whether such amounts seem reasonable and even whether they are physiologically possible.

Blood alcohol concentrations may be affected by numerous factors including physiological differences, food consumption, the amount of ethanol ingested, and the time elapsed between drinking and testing. Several assumptions underlie the estimates of blood alcohol concentration presented here:

1. Average body weights for 25 to 34-year-old males and females in the general population were assumed for the jail population.
2. An average rate of metabolism was assumed for the jail inmates equivalent to the general population, though such rates are known to vary because of differences in physiology and alcohol tolerance.
3. The rate of alcohol consumption was assumed to be stable over the drinking session prior to arrest. If, for example, 6 ounces of ethanol were consumed during a 4-hour drinking session, the formula assumes that 1.5 ounces of ethanol were consumed per hour.

State statutes often define two types of minimum blood alcohol concentrations that constitute evidence of intoxication--"illegal per se" and "presumptive" levels. Presumptive levels of intoxication are generally lower than illegal per se levels and require a different burden of proof to convict an individual of drunk driving. Across the States, illegal per se blood alcohol levels cluster around .10, but several States define it as low as .08 and others as high as .15. Presumptive levels for DWI or DUI may range from .05 and up but also cluster at the .10 level. The President's Commission on Drunk Driving has recommended that a presumptive BAC of .08 be enacted by State legislatures (November 1983). A BAC level above .05 is described as "driving while impaired" by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) Clearinghouse on Alcohol Information.

Estimated BAC was highest among inmates age 30-39 and those age 45-49 (appendix table 1). BAC's did not vary much based on the number of prior DWI convictions. As with ethanol consumption, BAC's escalated with the number of hours spent drinking and varied by the type of beverage consumed. The highest BAC levels were found among those who drank combinations of beverages.

Jail inmates were estimated to have had a median BAC at the time of the DWI arrest of .15 and an average (mean) BAC of .20 (appendix table 2). The distribution of BAC levels for DWI jail inmates was similar to the BAC levels of drinking drivers involved in fatal accidents in 1983, suggesting that the average degree of intoxication of both groups was similar.[9]

[9]While the presence of alcohol may or may not have been the proximate cause of the fatal accident, only 7.7% of drinking drivers involved in such accidents were found to have BAC levels below .05, or the impaired level as defined by the National Institute on Alcoholism and Alcohol Abuse, at the time of measurement. Assuming that a period of time may have passed between the time of the accident and testing for BAC, it is possible that actual BAC's at the time of the accident may have been higher (BAC declines by about .015 per hour).

Appendix table 1. Estimated mean blood alcohol concentration (BAC) at arrest of convicted jail inmates charged with DWI, 1983

	Blood alcohol concentration (BAC)
Age	
17-24 years	.19
25-29	.19
30-34	.24
35-39	.24
40-44	.19
45-49	.24
50 or more	.17
Number of prior DWI convictions	
None	.19
1	.22
2	.21
3 or more	.18
Number of hours spent drinking before arrest	
1 hour or less	.13
2	.18
3	.20
4	.21
5	.23
6	.26
7	.25
8	.23
Beverage consumed prior to arrest	
Beer	.16
Wine	.10
Liquor	.25
More than one type	.29

Note: Estimates are based upon an average body weight of 173 pounds for men and 142 pounds for women. (Source: Statistical Abstract of the U.S., 1987, table 176, p. 108.) BAC is estimated for those who reported drinking for up to 8 hours before their arrest; the number of unweighted cases who reported drinking for more than 8 hours may result in unreliable estimates.

Appendix table 2. Comparison of estimated blood alcohol concentration for fatal accident drivers in 1983 and convicted DWI offenders in local jails, 1983

	Estimated BAC, 1983	
	Drinking drivers involved in fatal accidents*	Jail inmates
Mean	.17	.20
75th percentile	.22	.29
50th percentile (median)	.17	.15
25th percentile	.11	.07

*Data were provided by Dr. Terry Zobeck of the Alcohol Epidemiologic Data System of the National Institute on Alcoholism and Alcohol Abuse. BAC test results were available for approximately 34% of the drivers involved in fatal accidents in 1983 (n=18,789). Testing methods included blood, breath, urine, saliva, and other types of analyses that varied from case to case. Note that these data cover drivers involved in fatal accidents with measurable amounts of alcohol in their blood, whether or not the drinking driver caused the accident and whether or not intoxication contributed to the accident.

Formula for calculating BAC after multiple hours of drinking (Widmark Formula)

The National Highway Traffic Safety Administration (NHTSA) has provided a formula for use in this study that permits an estimate of BAC to be made based upon the self-reported prearrest drinking behavior of the jail inmates. The methodology for estimating BAC was supplied by Dr. Alfred J. Farina, Research Psychologist, Research Division, National Highway Traffic Safety Administration.

$$BAC(h) = [(A/(r \times p))/10] - (h \times K)$$

BAC(h) = Blood alcohol concentration at time h

A = grams of ethanol consumed which is equal to: [(liquid ounces ethanol) x (.82)]/.035

r = reduced body mass (.68 for males and .55 for females)

p = weight in kilograms which is equal to: weight in pounds/2.2046

h = hours drinking

K = estimated rate at which the body metabolizes ethanol (.015 ounces per hour)

Based on this formula, a male DWI offender who weighs 173 pounds (78.47 kilograms) and who consumes 12 beers or about 6 ounces of ethanol (140.57 grams by weight) in 4 hours would have a BAC of .2 when he finished drinking:

$$BAC(h) = [(140.57/(.68 \times 78.47))/10] - (4 \times .015)$$
$$= (2.634/10) - (.06)$$
$$= .263 - .06$$
$$= .203$$

Methodology

The portion of this study relating to jail inmates is based upon self-report data from the 1983 Survey of Inmates of Local Jails. The survey used a multistage stratified sample of 407 jails with random selection of 5,878 inmates for personal interview. An estimate of the total inmate population on June 30, 1983, was made by weighting sampled cases by selected probabilities and adjusting for nonresponse.

The formulas used for calculating ounces of ethanol and blood alcohol concentration are described below. In cases where extreme outliers or impossible responses were found, data were treated as missing.

Conversion formulas for ethanol

For the purposes of this report the following conversions were used:

1 ounce of ethanol is equal to--
- 24 ounces of beer (4% alcohol content);
- 7 ounces of wine (14% alcohol content);
- 2 ounces of liquor (100 proof or 50% alcohol content).

Mixed drinks were assumed to contain 1.5 ounces of liquor. However, these conversions are approximations since some beer, wine, or liquor may have a different alcoholic content.

Appendix table 3. Number of licensed drivers, number of arrests for DUI, and rate of arrest for DUI, 1970-86 (data for figure 1)

Year	Number of licensed drivers	Number of arrests for DUI	Rate of arrest for DUI per 100,000 drivers
1970	111,542,787	555,700	498
1971	114,425,900	644,100	563
1972	118,414,474	796,800	633
1973	121,545,736	946,800	779
1974	125,426,582	843,600	673
1975	129,798,666	947,100	730
1976	134,035,641	1,029,300	768
1977	138,120,893	1,262,200	914
1978	140,843,907	1,268,700	901
1979	143,283,995	1,324,800	925
1980	145,295,036	1,426,700	982
1981	147,075,169	1,531,400	1,041
1982	150,233,659	1,778,400	1,184
1983	154,389,178	1,921,100	1,244
1984	155,423,709	1,779,400	1,145
1985	156,868,277	1,788,400	1,140
1986	158,594,000	1,793,300	1,131
Percent change 1970-86	42.2%	222.7%	127.1%

Sources: FBI, Crime in the United States (1970-86), (Washington, D.C.); Federal Highway Administration, Highway Statistics, Summary to 1985 (Washington, D.C.); Federal Highway Administration, Selected Highway Statistics and Charts, 1985 (Washington, D.C.).

Appendix table 4. Estimating the effect of age on DUI arrests, 1975 and 1986

Age	A Number of arrests, 1975	B Arrest rate, 1975[a]	C Number of licensed drivers, 1986[b]	D Expected number of arrests, 1986	E Actual number of arrests, 1986	F Difference between actual and expected number of arrests, 1986
Total	945,757	729	158,494	1,141,202[c]	1,791,575	+ 650,373
Age						
16-17	16,695	352	4,059	14,288	26,248	+ 11,960
18-24	239,311	979	24,901	243,781	516,689	+ 272,908
25-29	141,685	847	20,678	175,143	394,761	+ 219,618
30-34	115,588	867	19,258	166,967	283,201	+ 116,234
35-39	100,549	909	17,225	156,575	199,383	+ 42,808
40-44	92,562	904	13,415	121,272	129,791	+ 8,519
45-49	84,396	813	10,861	88,191	87,420	- 771
50-54	68,760	675	9,933	67,048	60,518	- 6,530
55-59	43,214	490	10,019	49,093	43,519	- 5,574
60-64	25,554	347	9,301	32,274	27,772	- 4,502
65 and older	17,443	141	18,844	26,570	22,273	- 4,297

Note: The expected number of arrests in 1986 (Column D) is calculated by the following formula: (B/100) x C = D. The total for Column D is the sum of expected arrests at each age. The difference between actual and expected arrests (Column F) is calculated by the following formula: E-D = F.

[a]Number of arrests per 100,000 licensed drivers in each age group.

[b]Estimated in thousands.

[c]Sum of the individual age estimates.

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New from BJS

- Motor vehicle theft (BJS Special Report), NCJ-109978, 3/88
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- Profile of State prison inmates, 1986 (BJS Special Report), NCJ 109926, 1/88
- Tracking offenders, 1984 (BJS Bulletin), NCJ-109686, 1/88

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